DISCIPLES AND PUNISHMENT: CONCEPTUALIZING SYSTEMS OF POWER IN CONTEMPORARY APPROACHES TO SCHOOL DISCIPLINE

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ABSTRACT

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The heightened prevalence of zero-tolerance approaches to student discipline over the past two decades is strongly correlated with expansion and growth of the school-to-prison pipeline, a phenomenon that describes the process by which students are pushed out of schools and subsequently funneled into juvenile and criminal justice systems. This ongoing trend, which contributed to the normalization of harsh forms of punishment within social spaces, has had a significantly disproportionate impact on minority populations – in particular, students of color, students with disabilities, and female students. To better understand the processes by which these students experience and are subjugated to such excessive forms of punishment and surveillance, this paper uncovers and analyzes the power dynamics present within zero tolerance approaches to school discipline. In order to frame discussions of both the history and the impacts of zero tolerance practices within an educational context, this thesis draws on the theoretical conceptions of discipline and docility established by French philosopher Michel Foucault in his renowned text *Discipline and Punish*. In addition to sourcing and interpreting types of power present within classroom and school-wide relationships through Foucault's framework, this thesis also considers manifestations of power within alternatives to zero tolerance disciplinary practices as a way to demonstrate the potential efficacy of non-punitive approaches to school discipline.

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A. Background & Context: Impacts of School Discipline

School discipline has been an important part of American public education ever since the public-school system was first established, but it was not until the 1960s that out-of-school suspension became a commonly-prescribed punishment for students guilty of misbehavior (Allman and Slate 2011). During the 1980s, a time in American history characterized by the War on Drugs, ongoing trends promoting harsh punishments for crimes grew exponentially. As America rallied to protect its citizens from dangerous "super predators" seeking to incite violence and terror within society, public officials increasingly promoted the implementation of policies considered "tough on crime" (Heitzeg 2009).

Throughout the early 1990s, officials in both federal and state governments utilized strong anti-crime rhetoric during public discussions in order to establish and promote a collaborative, nationwide movement that actively condemned policies and sentiments even remotely sympathetic to persons accused or convicted of crimes. During this period, policymakers' implementation of "tough on crime" language was paramount in convincing American citizens that continued support for the War on Drugs and other initiatives that expanded the authority and influence of law enforcement was the most effective way to reduce criminal activity and promote public safety.

The efforts espoused by those who created and influenced criminal justice policy in 1990s America were also significant in the way that they helped foster general, nationwide consensus on how society should punish those in violation of the law. As "tough on crime"

ideology extended throughout society, it influenced the creation of new legislation supporting stronger and more frequent enforcement of punitive discipline in most bureaucratic sectors – not just the criminal justice system. Of these other sectors, the American public education system arguably experienced the greatest change in its approach to discipline and punishment, and this change was a direct result of the new, public-safety related legislation enacted by federal and state governments in the 1990s (Kupchik 2012).

Two major ways that school districts across the nation attempted to enforce student discipline and reduce the possibility for future instances of misbehavior were: a) increasing security in schools; and b) implementing harsh "zero tolerance" policies. In addition to providing backgrounds and historical discussions for each of these two disciplinary approaches, this thesis will explain how the inherent power disparities present in "tough on crime" practices were complicit in the creation and expansion of the harmful and disparate consequences faced by students nationwide.

A comprehensive understanding of these power relations will help provide guidance in later considerations of alternatives to zero tolerance school discipline policies. To be more specific, this paper will utilize a theoretical framing device constructed by French philosopher Michel Foucault in order to provide an interpretation of power dynamics present within exercises of school discipline. This Foucauldian framework will help provide guidance and insight regarding what to seek out and what to avoid when evaluating alternatives to zero tolerance discipline.

B. Foucauldian Interpretation of Power Dynamics in Schools

Schools exert influence over far more than what is strictly academic. While their primary purpose is to serve as sites for productive discourse and scholarly engagement, schools are also principal agents of socialization. A significant component of socialization for students is discipline. The foundations for life-long perspectives on ways to interact with systems of power and control generally take shape during childhood when youth first begin school. Starting from an early age, young children spend a majority of their day-to-day lives within classrooms, regulated spaces in which daily activities and practices are closely monitored.

Despite the fact that schools themselves do not necessarily consist of "predefined structures or ways of being" (Cohen 2012), schools do serve as foundational spaces in which cultural and behavioral norms manifest and flourish – sites where youth are first exposed to political, social, and behavioral norms. These norms are often espoused by authority figures present within educational spaces.

A comprehensive depiction of the way in which power dynamics operate between authority figures and their subjects in various environments can be ascertained from the interpretation of discipline constructed by philosopher Michel Foucault in *Discipline and Punish*. In this critical text, Foucault describes his interpretation of "discipline" as "the multiple forms of domination that can be exercised in society" (Foucault 1995).

For Foucault, power is inherently relational; in other words, it exists not in a vacuum, nor on an ontological level, but rather within society in the form of actions, relationships, and their dynamics (Ryan 1991; Foucault 1995; Olivier 2010; Papageorgiou 2018). It follows that power has a direct and substantial influence over individuals and their bodies; as Foucault explains:

> "[power] reaches into the very grain of individuals, touches their bodies and inserts itself into their actions and attitudes, their discourses, learning processes and everyday lives." (Foucault 1995: 39)

While seemingly less harsh in nature than the repressive, outwardly violent regimes that existed before the nineteenth century, disciplinary power nonetheless seeks to control and dominate subjects. The transition away from physical torture as the primary form of punishment in the nineteenth century was, according to Foucault, "not to punish less, but to punish better…to punish with more universality and necessity; to insert the power more deeply into the social body" (Foucalt 1995). Foucault argues that traditional, violent regimes of control were replaced by technologies of discipline and other subversive means because the former was less effective at producing organized, socialized bodies than the latter (Foucault 1995; Papageorgiou 2018).

Foucault contends that power derived from and within systemic structures is much more effective at controlling large populations than the power that comes from a central, characteristically violent source of sovereignty (Foucault 2007). He argues that this is because in the absence of a singular, sovereign figure, systemic power—such as discipline—operates within "machinery that nobody owns" (Foucault 1995). This not only enables power to operate in a more nuanced way, but it also makes is much more difficult to challenge such power since it becomes harder to pinpoint exactly from where said power derives. According to Foucault, this is why systemic forms of power can –and do – maintain a fuller, more total type of control over bodies than sovereign, top-down power mechanisms.

While prison is the main institution of control that Foucault considers in *Discipline and Punish*, when contending that disciplinary power is more efficacious at controlling groups of

individuals, he chooses to reference schools and systems of education as his primary example The following excerpt is from his lecture titled “Mesh of Power”:

> The school brings together tens, hundreds and sometimes thousands of schoolchildren, students and it is as such a question of exercising over them a power that is precisely much less onerous than the power of the private tutor, one which could only exist between the pupil and the master. There we have a master for dozens of disciples; it is therefore necessary, despite this multiplicity of pupils, that there is an individualization of power, a permanent control, an overseeing of every moment. (Foucault 2007: 160).

This “individualization of power” refers to the way in which mechanisms of power control individuals at the most micro level, targeting their basic anatomy and innate mannerisms. The targeted individuals become what Foucault calls “docile bodies,” vessels that controlled by external systems of power (Foucault 1995; Olivier 2010; Pitsoe and Letseka 2013). Foucault further explains that the primary function of docile bodies, which are produced by the newer, seemingly less violent regimes of control, is to serve as objects of knowledge. These disciplined individuals function as a type of capital that, after becoming ‘docile’, are subsequently utilized to enforce and uphold the very systems of discipline that produced such objects in the first place (Foucault 1995; Olivier 2010; Papageorgiou 2018).

In *Discipline and Punish*, Foucault outlines his argument regarding how docile bodies are produced; objectification occurs via three primary methods– hierarchical observation, normalizing judgment, and examination (Foucault 1995; Olivier 2010). For the purposes of this paper, general explanations of each of the three methods will be provided alongside how they may appear within an educational context. Foucault’s explanation of the three mechanisms that produce docility is used throughout this thesis as a framing device to conceptualize power

dynamics within schools, primarily with respect to students, teachers, and school discipline practices.

In his explanation of the first method, Foucault describes 'hierarchical observation' as an intense, intrusive form of surveillance that closely scrutinizes all aspects of individual behavior (Foucault 1995). He further frames this argument from a theoretical vantage through his discussion of the Panopticon, Jeremy Bentham's classic circular prison model. The model, which consists of a central watchtower that is able to observe every cell in the circular prison, suggests that prisoners can be controlled by the mere possibility that they might be under surveillance at any given moment. In other words, the fear of being seen—and caught, and punished—is an effective deterrent against misbehavior.

Ryan places Foucault's discussion of surveillance within an educational context by arguing that schools reproduce "Panopticon-like philosophy" (Ryan 1991). He states this reproduction is nuanced and describes how it manifests in both spatial and temporal ways. Physically, school campuses are designed with distinct hallways and rooms; Ryan argues this design is a deliberate way "to make supervision of each student easier than would be the case [otherwise]" (Ryan 1991). He also argues that students' designated schedules, classrooms, and activities are standard aspects of school specifically because their existence permits teachers and other authority figures to better observe (and, thus, acquire knowledge about) the student body.

Papageorgiou also elaborates on Foucault's definition of hierarchical positioning within an educational context; she focuses on the teacher-student relationship, arguing that the present dynamic exists as a strategic method to better observe students. Those who provide instruction within classroom environments are hierarchically placed above their students in such a way that the students are invariably subjected to the teachers' observational gaze.

According to Deacon, a scholar focused on studying how Foucauldian interpretations of power relate to issues of discipline and education, changes in population trends had a significant effect on the teacher-student relationship. He states:

> Schooling in itself had been a disciplinary response to the need to manage growing populations; within the progressively discriminating space of the schoolroom the productive regulation of large numbers of pupils also required new methodologies…[The] monitorial method was superseded by the 'simultaneous method'…of direct group instruction by a single teacher" (Deacon 2006: 181).

This point follows the earlier explanation of how disciplinary power more effectively manages and controls bodies than does sovereign power. Considering that the observation of students by teachers functions as a mechanism of control (Ryan 1991; Deacon 2006; Olivier 2010; Papageorgiou 2018), it can be argued that the inherent nature of the teacher-student relationship is one that denies students a certain degree of autonomy by instead demanding their docility. In other words, simply by subscribing to the traditional teacher-student dynamic—one of the most fundamental parts of public-schooling— youth cannot escape being subjected to hierarchal observation.

The second element of disciplinary power—normalizing judgement—relies on creating and enforcing structural norms as a way to control subjects. Organized and systemized activities, such as those described above (e.g. class schedules, designated electives, grading periods) are examples of normalizing judgement. An additional form of normalizing judgment is labeling certain behavior "normal" or "appropriate" – in part by outlining such standards in school disciplinary codes, but also in part by relying on the judgment of administrators and peers at large.

What constitutes 'acceptable behavior' within the context of correctional systems, including the school, is determined by penal system as a whole; just as guards and other prison officers are tasked with taking corrective disciplinary measures against prisoners who misbehave, teachers and school administrators are permitted to punish students who deviate from what is established "appropriate behavior" at school. Foucault refers to these minor corrections, which prisoners often face for even the most minor disciplinary transgressions, as "infra-penalties" (Foucault 1995).

The third method of objectification outlined by Foucault serves as a combination of the first and second. Foucault describes the examination as follows:

> The examination…is a normalizing gaze, a surveillance that makes it possible to qualify, to classify and to punish. it establishes over individuals a visibility through which one differentiates and judges them. That is why, in all the mechanisms of discipline, the examination is highly ritualized. In it are combined the ceremony of power and the form of the experiment, the deployment of force and the establishment of truth.
> (Foucault 1995: 184)

Within the context of traditional public schools, exams are given regularly to measure students' knowledge. According to scholars, the examination is arguably the most 'whole' of the three methods of objectification because it combines the other two—hierarchical observation and normalizing judgement (Foucault 1995; Olivier 2010; Papageorgiou 2018). This wholeness—what Foucault refers to as 'power/knowledge'—is achieved because of the way in which examination exercises power over an individual while simultaneously providing knowledge about the individual.

Consider, for example, how power and knowledge are present when a student takes a pop quiz in school. The knowledge she holds is revealed by the responses she provides to each question on the quiz. Additionally, power is exercised over her in the way that she is required—arguably, forced—to take a pop quiz, An important clarification must be made here: the requirement that the student complete the assignment is not coming from the examination proctor, but instead from the educational system at large. There is no one, singular figure who is exercising power over the student. Even the instructor who monitors the examination is simply a cog in a greater, more complex machine that generates power by collecting knowledge from the bodies present and operational within its machinery.

According to Deacon, the kind of epistemological power, or "a power to extract a knowledge of individuals from individuals," historically revealed itself within an educational context in two ways. First was the way that student and teachers were encouraged to document individual records outlining their personal experiences within educational spaces, which resulted in the creation of a detailed body of observation-based knowledge. Establishing this body of knowledge led to a major change in discourse about education-related matters, which ultimately resulted in the second outcome—namely, the establishment of education as a "science" (Deacon 2006).

Considering the above analysis, it is clear that Foucault's work regarding both discourse and power/knowledge (respectively) can directly inform theoretical interpretations of power dynamics within education systems. Thus, even though many of Foucault's writings do not directly address systems of education (Deacon 2006), his interpretation of discipline and power can nonetheless serve as an effective framework for discussions of power in school discipline, especially those considered in this thesis.

C. Research Questions & Methodology Explained

The primary question this thesis seeks to answer is, how have power dynamics that exist within school environments contributed to the disproportionate rates at which students in minority groups are punished? More specifically, to what extent have zero tolerance policies and increased school security exacerbated disparities in the ways students of color, students with disabilities, and female students are impacted by discipline? This thesis also seeks to understand what alternatives to zero tolerance discipline might be able to avoid reproducing the same harmful impacts.

There are three primary reasons a Foucauldian lens is a useful approach to studies of power relations in systems related to education and discipline, which this paper seeks to execute. Firstly, two of the primary discipline policies discussed throughout of this paper are variations of subjects already extensively analyzed and interpreted by Foucault; one of these policies increases forms of school policing and security—a form of surveillance, and the second policy expands schoolwide utilization and implementation of zero tolerance practices (a form of punishment). Given that Foucault conceptualizes discipline as "a comprehensive regime, in which even the smallest details are subject to scrutiny" (Gallagher 2010), the Foucauldian approach is a natural fit.

Secondly, Foucault's discussion of changes in social perceptions of criminality will be a highly informative, useful resource in this paper's analysis of the relationship between education, discipline, and crime. Foucault attempts to explain social rationale behind "the gradual shift in penal practice from a focus on the crime to a focus on the criminal" (Gutting et al 2019). As Gutting et al explain:

> "[t]he new idea of the "dangerous individual" referred to the danger potentially inherent in the criminal person […] Foucault suggests that this shift [in social perspective] resulted in the emergence of new, insidious forms of domination and violence" (Gutting et al 2019: 3.4).

One final, relatively holistic reason to utilize a Foucauldian framework of discipline in this paper is that Foucault and the theoretical approaches in this paper share a common interpretation of power as a relational, process-based entity. Since Foucault fundamentally believes that discipline (and other forms of power) can only be legitimized within relationships and systems—not within vacuums, nor on their own—a Foucauldian framework would arguably enhance this paper's central discussion of power relations in discipline.

Given the above parallels connecting Foucault's discussions of discipline, punishment, and biopower with the present text's attempt to analyze and locate power within historical and future school discipline models, this paper's Foucauldian approach to interpreting discipline is not only natural, but also highly appropriate.

II. Historical Discussion of Surveillance & Zero Tolerance Discipline in America

A. Foucauldian Understanding of Zero Tolerance and Surveillance in Schools

"Zero tolerance" is a disciplinary framework which standardizes severe punitive action as the primary response to transgressions and instances of misbehavior (Villalobos and Bohannan 2017), According to scholars, zero tolerance policies (ZTP) in schools are rooted in the idea that harsh disciplinary action against students who violate school rules effectively "sends the message that misbehavior will not be tolerated" (Skiba and Rausch 2006).

Schools with standard disciplinary policies that operate within a zero-tolerance framework require the establishment and utilization of a uniform, predetermined set of punitive actions, which are carried out uniformly against students in violation of certain school rules. In this school discipline model, rarely considered are case-by-case evaluations of specific circumstances pertaining to each disciplinary infraction, or the unique personal backgrounds of each student involved in the incident. Instead, punishments are strictly based on the predetermined consequences outlined within school discipline policies.

There primary goal that zero tolerance disciplinary practices seek to achieve is reducing the possibility of violence and disorder within schools. In order to create classrooms that are most conducive to learning, students and teachers must feel safe in their respective educational

environments (Allman and Slate 2011; Pistoe and Letseka 2013; Skiba and Rausch 2006; Scheuermann and Hall 2008).

Given that the potential for misbehavior is perceived as a direct threat to effective classroom learning, schools also prioritize policies that create orderly classroom environments in order to maximize the possibility that learning can take place successfully. Theoretically, suspending students who consistently misbehave would reduce the possibility for disruption of classroom instruction, as well as the potential "bad influence" such students might have on their classmates; this would effectively create a safer classroom environment (Skiba and Rausch 2006).

This type of exclusionary discipline in schools mirrors the description of punishment outlined by Foucault in *Discipline in Punish.* His description of disciplinary control within prisons parallels zero tolerance policies in schools; this can be seen, for example, in his description of the penal system's focus on correcting even the "slightest departures from correct behavior" (Foucault 1995: 178). Just as prisoners in Foucault's theory are subject to harsh punitive action as the standard response even against minor, non-violent offenses, students attending schools that uphold zero tolerance principles might face punishment for offenses such as speaking back to faculty or causing classroom disruptions.

Foucault's interpretation of the Panopticon, in which prisoners constantly face the possibility of being watched by a central guard, is also relevant to the present discussion. One primary reason why schools promote zero tolerance and harsh punitive action against students is because they believe that closely monitoring and punishing students who commit transgressions will limit negative influences in the classroom environment and reduce future instances of misbehavior (APA 2008; CSG 2011; Cohen 2012). This logic aligns with Foucault's Panoptic

model, which suggests that the fear of being watched—and, subsequently, the fear of being punished—is effective at deterring prisoners from committing against acts of misbehavior while incarcerated (Foucault 1995).

It is important to note that while fear of punishment may successfully deter additional acts of misbehavior on a theoretical level, recent studies indicate that in practice, there are actually greater instances of punishment. Consider, for example, the trends regarding instances of school suspension. An extensive, growing body of research that suggests there is a strong correlation between classroom removal and continued behavioral misconduct in situations where students are involuntarily removed from their normal classroom (Allman and Slate 2011; APA 2008; Kupchik 2012; Skiba and Williams 2014).

In other words, punishing a student by placing him in either in-school or out-of-school suspension heightens the likelihood that he will re-offend, as well as that he would possibly develop a future pattern of misbehavior. However, while the harmful impacts of students of in-school and out-of-school suspension are relatively well-known by those involved in education and school administration (Allman and Slate 2011), suspension continues to be one of the most popular forms of punitive action taken against students who violate school rules (Skiba and Williams 2014).

Another major goal that zero tolerance strives to accomplish is mitigating potentially biased instances of discipline. In theory, assigning punishments strictly based on the type of offense committed would be a more "fair" disciplinary practice than assigning punishments that take racial and cultural circumstances into account (APA 2008; Allman and Slate 2011; Heitzeg 2009; Skiba and Rausch 2006). This goal also fits in with the Foucauldian interpretation of

"normalized" standards of behavior; when such behaviors are violated, punishment—which is also a type of norm—is invariably executed, regardless of circumstance.

However, research indicates that in practice the opposite result transpires; students of color, especially black youth, are consistently over-represented with respect to rates of suspension and expulsion from school (APA 2008; CSG 2011). The impacts of zero tolerance will be discussed in the next session.

B. History of Zero Tolerance and Surveillance in 1990's America

The pervasive anti-crime rhetoric that accompanied contemporaneous sociopolitical movements across the nation (such as the War on Drugs) certainly contributed to the demand for harsher punishment in schools (Heitzeg 2009; Kupchik 2012). As a result, zero tolerance policies were introduced in the early 1990's. "Zero tolerance" approaches to school discipline call for the standardization of harsh, punitive actions as primary responses to transgressions and instances of misbehavior regardless of circumstance (APA 2008; Heitzeg 2009; Kupchik 2012; Skiba and Williams 2014; Villalobos and Bohannan 2017).

The primary intent of these policies, which were quickly implemented across public school campuses nationwide, was to reduce violence and drug-related offenses within schools (Allman and Slate 2011; CSG 2011; Kupchik 2012). This harsh school safety model was established under the belief that, at least in theory, a "no nonsense" approach to discipline would prevent misbehaving students from re-offending and simultaneously deter future instances of misbehavior carried out by other students in the classroom. The rapid adoption of these policies school districts across the nation resulted in a complete transformation of the ways in which schools reproduced discipline.

A particularly influential piece of legislation that facilitated the introduction and establishment of zero tolerance discipline in the 1990's was the federal Gun-Free Schools Act (GFSA). While this legislative act primarily served to regulate and increase the punishment against potentially violent students, the GFSA created several other regulatory amendments with which states receiving education-specific federal funds needed to comply in order to continue receiving financial aid.

In what is considered the GFSA's most notorious provision, states are required to establish laws that mandate one-year minimum expulsion as the standard disciplinary consequence against students found in possession of a weapon at school (Allman and Slate 2011; Heitzeg 2009; Lamont 2013; Villalobos and Bohannan 2017).

Additionally, the GFSA includes the requirement that all schools establish and outline a fixed process through which students found in possession of a weapon are to be referred to the state's criminal or juvenile justice systems (Allman and Slate 2011; Lamont 2013; Villalobos and Bohannan 2017). This second GFSA requirement has received the most criticism from advocates who argue that automatically expelling an accused student denies youth their due process rights and is blatantly unconstitutional.

As a result of the widespread implementation of zero tolerance policies in schools, teachers began to assign significantly harsher forms of punishment for minor transgressions. One study conducted in the late 90's indicated that the most common offenses for which students faced suspension were "physical aggression, verbal disrespect, and profanity with school staff" (Allman and Slate 2011).

This significant increase in the number and type of offenses for which harsh disciplinary action was suddenly considered appropriate punishment is one of the main explanations as to

why students faced punishment at substantially higher rates despite the fact that there were not any significant changes in the number of victims or victim-creating offenses during this time (Kupchik 2012).

The utilization of two forms of punishment – suspensions and expulsions, in particular – became especially common by the end of the 90s. Analysis of student punishment from this period in history indicates that students in 1998 were reported to have faced twice as many suspensions and expulsions overall than did students in 1974 (Kupchik 2012).

Other noteworthy examples of students who faced punishment for non-violent activities include: a nine-year old who received suspension for bringing to school a manicure kit that contained a one-inch knife; a five-year-old student who was expelled for pretending to shoot a toy gun made from Legos blocks; and another five-year-old student who was arrested, handcuffed, and taken into custody for throwing a tantrum that "disrupted a classroom" (Heitzeg 2009).

In addition to increases in disciplinary consequences against potentially violent students, the GFSA increased the overall amount of surveillance and security in public schools nationwide. The GFSA included provisions specifically designed to help improve security measures on and around school campuses. One of these elements was permitting and encouraging schools to hire school resource officers (SROs), armed and uniformed law enforcement agents stationed on school campuses charged to protect students from threats that arise within the school (Heitzeg 2009, Kupchik 2012).

While increased police and law enforcement presence in schools had been growing in demand throughout most of the 1990s, this demand skyrocketed following the Columbine school massacre on April 20th, 1999. This violent event bred deep insecurity and fear across America,

furthering the nationwide demand for changes to school policies regarding safety and discipline (Kupchik 2012). In order to assuage public fears and take measures to deter such an incident from reoccurring, school districts took greater measures to improve campus-wide safety.

Along with employing even more police officers, districts also began implementing additional forms of surveillance, such as hiring school resource officers and bringing to campus police dogs trained to sniff out drugs and possible weapons (Kupchik 2012; Heitzeg 2009; Armour 2016). Additionally, advances in science and engineering made it possible for districts to implement new technology as a way to monitor school safety. Metal detectors, for example, were added to the front entrances of many schools.

Similarly, it became increasingly common for schools to install security cameras, which are presently one of the most standard parts of public-school landscapes across the nation; a national report published in 2006 indicated that approximately 70% of all public high schools in America contained at least one fully-functioning security camera either inside or around campus buildings (Kupchik 2012). Profiling also became an increasingly popular form of surveillance; through profiling processes, individuals are determined to be at-risk, based on the actions and behaviors carried out by those with similar profiles (American Psychological Association 2008).

According to Kupchik (2012), despite the growing rates of student punishment, studies seem to indicate that reported levels of crime stayed fairly constant throughout this time. Kupchik also points out a curious phenomenon regarding trends in the rates of student punishment as well as victimization rates in American public schools. The Bureau of Justice Statistics states that victimization rates indicate the number of victimizations experienced (and reported) in a given population during a certain period of time (Lauritsen et al 2013). When compared alongside other data (such as prevalence rates, which measure the frequency of

criminal incidences instead of victimizations), victimization rates can help identify changes in trends related to criminal activity within a particular region (Lauritsen et al 2013).

Given that rates of victimization at least partially reflect changes in criminality, one would expect that increases in other criminal-related rates would have some bearing on victimization trends. However, such was not the case for American public schools in the late 1990's (Kupchik 2012). While the number of punished offenses in schools doubled during this time, there was no accompanied increase in amount of victimization; in fact, there was no change in the victimization rate during this period at all.

Considering the significant relationship between rates of punishment and victimization in public schools, Kupchik argues that the significant disparity between the two rates is a strange, abnormal occurrence. He proposes that a possible explanation for this discrepancy might be the pervasive recharacterization of many kinds of transgressions as 'punishable'.

During the peak of America's zero-tolerance era, the list of offenses for which a student could face extremely harsh punishment grew to include many offenses that were not violent, not criminal, and effectively victimless (Kupchik 2012). He theorizes that the victimization rate stayed constant because the offenses for which students were increasingly facing punishment were effectively victimless. However, since the number of punishable offenses increased, rates of punishment increased as well. The devastating impacts of this change are detailed in a later section.

C. History of School Discipline in Texas

There are several reasons why Texas is a particularly worthy model to study when considering discipline in public schools. Firstly, the state's education system consists of a student

population that is both large and diverse. Research indicates that "nearly one in ten public school children in the US are educated in the Texas public school system," which means that at least some of these students are responsible for the continued growth of independent school districts (ISDs). In 2015 throughout the state, the growth in enrollment numbers led Texas to be ranked in second place with respect to total number of K-12 schools by U.S. state (Texas Tribune 2015).

The approximately five million students enrolled in over 1,200 school districts accurately reflect the reported claim that Texas has the second largest public-school system nationwide reflects. Given the diversity and size of Texas' student population, it is likely that Texas could serve as a model for other states with respect to school discipline policies. As explained in the Council of State Governments Justice Center report, because of Texas' student demographics and overall population size, in which "nonwhite children make up nearly two-thirds of the student population… findings [pertaining to discipline in Texas] have significance for—and relevance to—states across the country" (CSG 2011).

For most school districts in Texas, suspension and expulsion are the most severe punitive actions that a school can take against its students. In cases where students violate state laws through serious misconduct, violent behavior, or criminal offense, administrators are required to act in accordance with state regulations that outline what disciplinary action should be prescribed. These mandatory, predetermined measures are restricted in application, only used to respond to serious criminal behaviors that constitute felonies as per the Penal Code (CSG 2011).

Studying school discipline policies in Texas may also be useful because of the uniquely challenging financial complications currently present within the Texas public education model. In spite of its public-school student population's increasing size, Texas has made deep cuts to its education spending over the last several years. According to the Center on Budget and Policy

Priorities, since 2008, per-student general funding in Texas has decreased by 16.2% (Leachman 2017). The severe cuts to school funding coupled with a growing population will result in lack of resources, which is commonly understood to be one of the most common impediments to effective learning in public schools.

As budgetary cuts persist, students face consequences from schools' inability to purchase or provide useful contemporary learning tools such as laptops or textbooks. Cuts may also prevent schools from choosing to invest their scarce financial resources into matters such as facility maintenance and repair. When students must sit in broken chairs inside classrooms with broken AC units, it is unlikely that students are excited by the prospect of going to school and spending their days within these spaces (Kozol 1991). It may be interesting to consider whether schools with unfavorable classroom environments have any impact on classroom management and overall student behavior.

Operating under the framework of national zero-tolerance culture, public schools have drastically reclassified what was formerly understood to be "student misconduct" as "criminal activity" (Kupchick 2012; Skiba and Williams 2014). This holds true in Texas, as well. Minor, non-violent offenses may have traditionally been "punished" by requiring the student to attend a disciplinary conference and/or hearing with the teacher, parent, and an administrative official after school. But if the teacher decides she would prefer to remove the student from her classroom and send the child to in-school-suspension or to the principal's office instead, the teacher's discretionary power permits her to do so.

The majority of student infractions in Texas are discretionary, which means they are punishable because they violate school rules and/or local codes of conduct (as opposed to state and/or federal laws). In the Council of State Governments (CSG)'s groundbreaking 2011 study

titled “Breaking School’s Rules,” which is outlined in more detail later in this thesis, CSG indicated that almost all classroom removals faced by the students in the sample’s study were because of student code of conduct violations. Other reports consistently reflect these trends (Texas Appleseed 2010; Texans Care 2018).

Because suspension and expulsion are no longer punishments used exclusively for violent, dangerous, or illegal activities, and because teachers may initially struggle when attempting to apply alternative classroom management strategies (Scheuermann and Hall 2008), students continue to face suspension and expulsion as primary methods of punishment for all kinds of non-criminal misbehavior. Many of these disproportionate impacts will be discussed in the next section of this paper, which contains a significant body of research conducted in Texas regarding Texas students who attend Texas schools.

III. Impacts of Surveillance and Zero Tolerance Approaches to School Discipline

A. Impact Overview

Following the implementation of harsher disciplinary policies in the 1990's, discrimination against low-income and minority youth worsened. The implementation of zero tolerance culture along with increased police presence and surveillance undoubtedly exacerbated the growth of the school to prison pipeline, a term that describes the phenomenon in which students, often disproportionately from low-income & minority backgrounds, are pushed out from public schools and, somehow, into legal justice systems.

Because of these policies, minorities began facing even harsher disciplinary consequences; in other words, minorities were punished not only more frequently, but also in much more severe ways. This is in spite of the fact that zero tolerance culture was established in response to increased instances of violence (particularly related to guns) in public schools throughout the nation, the most violent school shootings that occurred during the period in which zero tolerance policies were established did not consist of any minority perpetrators (APA 2008).

Overidentification of minority students is related to racism in America on a much broader scale; the representation of black and brown individuals in the media is covered a much more negative light than that experienced by their white counterparts (Heitzeg 2009). The continued misrepresentation of minorities as uncharacteristically criminal beings capable of more violence than the majority should be reevaluated; studying the relationship between race and discipline may be a strong point of consideration from which that conversation can begin.

Criminality in America also contains a substantial racial dimension. The majority of research describing school discipline points to the issue of minority overrepresentation, a significant problem in Texas as well as the rest of the nation (Carmichael et al. 2005; Reyes 2006; Skiba et al 2008). In her 2010 book The New Jim Crow, Michelle Alexander argues that one of the primary ways in which federal and state governments preserve systems of structural racism is by enacting and maintaining harsh criminal justice policies, which target individuals—particularly, men—of color (Alexander 2010; Ferguson 2003).

Some studies have focused on considering other, non-racial factors as primary determinants of why differences in rates of disciplinary actions taken against students of color appear so consistently. For example, extensive research has been conducted on whether poverty or increased behavioral issues could be the "true" root cause for the discrepancies. But the results from these multivariate analyses do not seem to indicate that there is a significant correlation between non-racial factors and discipline; even when controlling for economic variables or rates of misbehavior, the data shows that black students are still disciplined far more extensively than are their white peers (CSG 2011; Skiba et al 2008, 2014).

The detrimental toll criminalization takes on the lives of individuals can be seen in various forms: restricted access to employment, voting opportunities, healthcare and housing benefits, and even denial of certain parental rights (Heitzeg 2009). These examples reflect severely limited access to social, economic, and personal freedoms, which effectively punishes former-offenders long after their release back into the "free world." Considering this, it is undoubtedly hard to quantify how negatively criminalization might impact an individual's life.

Further studies provide additional support for this claim through their explanation of how criminalization is closely related to issues of race and discipline. According to a 2008 report

published by the American Psychological Association (APA), one of the most explicit sources of continued racism in schools is racial profiling, "a method of prospectively identifying students who may be at risk of committing violence or disruption by comparing their profiles to those of others who have engaged in such behavior in the past" (APA 2008).

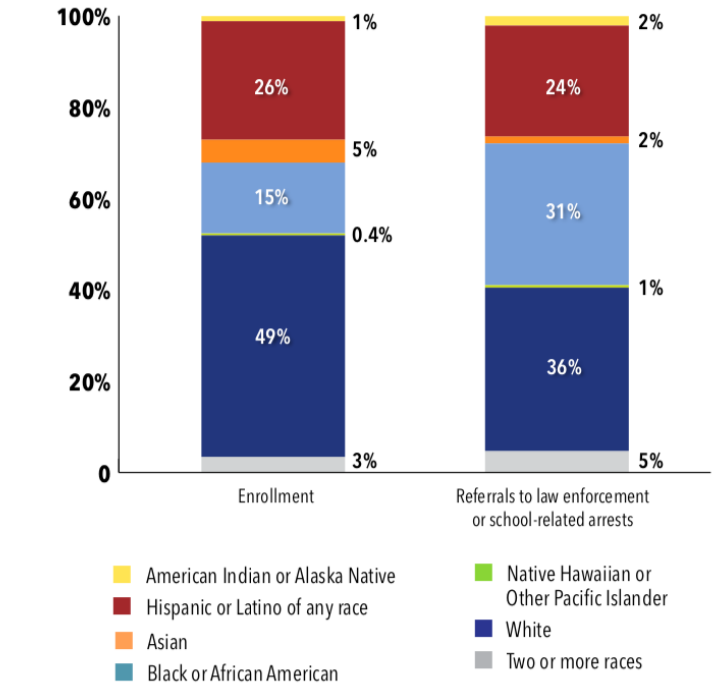
Finally, when deciding whether or not to continue upholding zero tolerance policies, it is helpful to consider the economic and financial impacts they have on society. Scholars that consider the financial aspect of this social issue argue that taxpayers and school board members would be much less willing to discipline students through harsh action if such actions happened to be an extreme financial burden. The Civil Rights Project at UCLA revealed that "school suspensions cost the U.S. more than $35 billion in economic costs, over $11 billion in fiscal costs, and $24 billion in additional social costs" (Losen and Rumberger 2016).

In a different study published that same year, members from this project conducted further research that focused specifically on the economic costs of school discipline; through their analysis, these researchers found that "if the increases their study attributed to school discipline were eliminated, the dropout rate in Texas would be about 14 percent lower" (Losen et al 2016).

Since the consequences that result from criminalization are destabilizing, difficult to reverse, and highly capable of devastating relationships and structures within entire communities, it is difficult to overstate the social need to reduce and prevent individuals from ever entering criminal and juvenile justice systems in the first place. In addition to the various social and political incentives, given the economic incentive to reduce and mitigate financial waste, it is clear that educational systems in support of harsh disciplinary policy should attempt

to reassess whether or not the continued preservation of such policies is legitimately in the best interest of the communities, the schools, and the students they wish to serve.

Figure 1. Racial breakdown of students either arrested or referred to law enforcement during the 2015-2016 school year.



NOTE: Data may not add up to 100 percent due to rounding.
SOURCE: U.S. Department of Education, Office for Civil Rights, Civil Rights Data Collection, 2015–16.

According to the statistics published in the U.S. Department of Education Office for Civil Rights (OCR) 2018 School Climate and Safety Report., while black students represent only 15 percent of total students accounted for, they make up 31% of all students referred to law enforcement or arrested; similarly, for Hispanic or Latino-identifying students, who make up only 26% of all students studied, 24% of them were referred to law enforcement (OCR 2018 Report, Figure 2).

The 2014 OCR report also reflects substantially higher rates of suspension and expulsion for students of color. However, in addition to comparing race, the 2014 report considered differences in grade levels as a factor. The findings indicate that unequal rates of discipline were present across all grades-levels; even in Pre-K, students of color were reported to have been suspended at higher rates than their white classmates (OCR 2014).

B. Disparate Impacts Pertaining to Race, Gender, and Disability

Data published by the Council of State Governments (CSG) has also proved to be especially helpful in analyzing the impact of discipline across different Texas schools. The CSG provides significant findings pertaining to the impact of discipline in its groundbreaking 2011 report titled "Breaking School's Rules."

This longitudinal study conducted by Dr. Tony Fabelo and his team provides findings from observing disciplinary records of millions of students as they moved through Texas' K-12 schools. According to the report, over 97% of classroom removals faced by students in the study's sample were based on code of conduct violations – not because of state-mandated reasons such as illegal and/or violent activity, which are outlined in Chapter 37 of the Texas Education Code (CSG 2011).

Texas Appleseed has also published several reports that consist of useful demographic statistics; these numbers help paint an accurate picture of how school-to-prison pipeline issues manifest specifically within Texas schools. Like the nationwide studies, the Appleseed reports indicate that African American and Hispanic students are "disproportionately overrepresented" in matters including (but not limited to) discretionary suspensions, expulsions, and Disciplinary Alternative Education Program (DAEP) referrals (Texas Appleseed 2007, 2010).

In its 2010 report titled "School Expulsion," Appleseed reports that over 71% of all expulsions in Texas school districts are made at the teacher's discretion rather than because of statutory requirements (Texas Appleseed 2010). According to their data, almost 6,000 expulsions faced by Texas students in the 2008-2009 school year were for discretionary reasons, whereas there were fewer than 2,4000 expulsions for state-mandated reasons (Texas Appleseed 2010).

The report also provides a racial breakdown for several large school districts throughout the state; in almost every school district mentioned, the rates for mid-level discretionary expulsions among African American students were greater than rates of mandatory expulsions, which was not the case for other races (Texas Appleseed 2010). For example the rate of African American students facing mandatory expulsions in Dallas ISD was 20%; of all mid-level discretionary expulsions, however, over 69% were African American. Whereas this trend was consistent for Hispanic students in some school districts, it was almost never the case for students who identified as White and/or Other.

This pattern of disproportionate racial divides in rates of expulsion are similar to rates of suspension. Figures regarding suspensions in Texas, specifically among Pre-K through second grade students, were published by Texans Care for Children in March 2018. Their report observes the rates of in-school and out-of-school suspensions for some of Texas' youngest students. The findings, which reflect data from the 2015-2016 school year, indicate that the rate at which black boys in grades Pre-K through 2nd received in-school suspension (ISS) was double the rate of their white peers. The discrepancy for out-of-school suspension rates was even greater; black boys were approximately five times more likely to receive an out-of-school suspension than white boys (Texans Care 2018).

Though data consistently reflects the strong correlation between race and higher rates of disciplinary infractions, underlying reasons for this relationship are still unclear. One explanation attributes the cause to sociocultural misalignment between teachers and educators – respectively, those who take disciplinary action and those who are on the receiving side—could be responsible for many instances of discipline that could have been avoided had such cultural differences not been present. In other words, if teacher and student populations have significant differences in factors such as upbringing, socioeconomic status, and ethnic or racial background, it is possible that misunderstandings could form with respect to what constitutes proper behavior (Kupchik 2012; Robinson et al 2015).

Indeed, it does seem to be the case in many districts that significant demographic differences between a school's student body and its administration are often present; school officials are often unfamiliar with the communities in which their students reside. Even in schools that primarily consist of students from minority backgrounds, school officials tend to be both white as well as residents of neighborhoods different from their students' (Robinson et al 2015; Ferguson 2003). In *Pushout,* Morris affirms this point: "[t]eachers would benefit from training on the use of culturally competent and gender-responsive discipline protocols […] and alternative practices that increase their capacity to utilize harm reduction strategies and promote safety, respect, and learning in the classroom" (Morris 2016).

Lack of cultural competency can result in social confusion, which in turn could breed conflict. In situations where school officials and the children with whom they work do not share similar backgrounds, administrators may—and often, do—discipline students for issues that students may not have even realized were forms of 'bad behavior' (Ferguson 2003; Robinson et al 2015). Some common behaviors that are considered "normal" in students' communities could

in fact be against school policy, serving as grounds for classroom removal. These behavioral misunderstandings leave room for students to unknowingly commit infractions which would be handled with severe disciplinary consequences.

The following situation exemplifies how lack of cultural awareness can be problematic for youth with respect to disciplinary consequences. Consider a scenario in which a student is disciplined for swearing in class. If the students' parents frequently speak with words considered inappropriate in school environments, she may come to consider these phrases as standard parts of conversation. Subsequently, the student sees no issue in repeating such "cuss words" during a conversation with some of her classmates. Under a zero-tolerance framework if the school code of conduct requires that the teacher send the student to the principal's office for this particular type of infraction, such disciplinary action would have to be taken.

After kids are written up, even if they have the opportunity to try and explain themselves through conferences or hearings, oftentimes students are not able to communicate their point in a way that is seen as respectful. Part of this issue is that schools generally uphold traditional white middle class standards of respect (Kupchik 2012; Ferguson 2003). Thus, once students are already in trouble, trying to negotiate their way out of the situation may make the consequences much more severe. Without the ability to communicate perceived differences regarding behavior, teachers and students cannot engage in productive dialogue. This in effect incorporates an additional layer of insecurity into conflict-driven scenarios, which could further worsen already-tense situations.

Here, the issue of teacher-student communication is pertinent not only in broad discussions of student-teacher power relations, but also specifically within the context of school discipline. By instilling fear within students, the unequal student-teacher power dynamic restricts

opportunities for healthy, constructive discourse (Foucault 1972; Cohen 2012; Giroux 2015). Even when students seek to discuss matters of legitimate concern, their fear of harsh retribution at the result of a minor miscommunication or misunderstanding could prevent them from speaking up, limiting students' ability to engage in practices that promote self-determination and autonomy.

Furthermore, without clear, open channels for dialogue, it is difficult for teachers to ascertain whether guidelines regarding behavior and punishment have been clearly and effectively communicated to students. These challenges in communication, especially due to cultural barriers and misperceptions, may be one of many reasons that there are such great disparities in punishment of minorities (Ferguson 2003).

When considering best-practices solutions, one should remember that the impact of school discipline policies extend far beyond standard educational-policy or criminal justice issues; there are social and cultural factors that must be considered and incorporated into future solutions for school-to-prison pipeline-related issues. Because racial disparities in rates of school suspension and expulsion are significant throughout the nation, practices that uphold this targeted discrimination and its inherently unequal power dynamic should be reevaluated, dismantled, and replaced with alternative models that promote equality and inclusion.

C. Harmful Effect on Access to Learning

Of the many factors that could result in learning impediments for students, one of the most problematic is involuntarily removal of students from the classroom. As a result of their absence from the classroom, students miss valuable educational material. To make up this work, they are often required to take responsibility and learn instructional material on their own.

However, given the unlikelihood that most youth would even consider—much less execute—completing this task, there is no guarantee that the student would fully "catch up" on the missed instructional material. And in the event that the student were to complete assigned make-up assignments, if they are studying on their own – without assistance from the teacher—students may not learn the material properly, nor develop an accurate understanding of the subject matter.

Furthermore, there exists a possibility that removing youth from the classroom environment may have detrimental social and psychological impacts. The physical sensation of exclusion experienced as the student left the classroom may perpetuate an internalized belief that he is in some way "different" from his classmates. This perception, which may be closely linked to feelings of embarrassment or shame, could also severely impact how the student responds when facing his peers in person again. Considering these possible impacts, it is clear that classroom removal may have negative, lasting impacts on both perceived (and actual) academic potential as well as psychosocial well-being.

Impediments to student learning is of special concern for young black women. As Dr. Monique Morris explains in her critical text *Pushout,* the process of obtaining education—becoming educated—has played a particularly transformational role in the lives of black women. During slavery, seeking out knowledge in any capacity as a black woman was extremely dangerous. By teaching themselves how to read, black women celebrated a kind of "reclamation of human dignity…[that] provided an opportunity to ground their challenges to the institution in scholarship, literature, and biblical scripture" (Morris 2016).

Through the process of educating herself, a black female slave could regain a level of control for herself by taking it away from the repressive (and oppressive) institution of slavery.

This reclamation of power and self-identity was a fundamentally subversive act; teaching oneself how to read was undoubtedly a type of 'open rebellion' against slavery as an institution. Foucault would agree with this interpretation of the practice as subversive, especially given the sociohistorical context.

Other factors related to school discipline can also function as impediments to educating youth. For example, in the Lego gun scenario outlined in an earlier section, instead of expelling the student, the instructor could have merely taken the student aside and firmly explained why his actions were problematic. Expelling the student is an action that arguably creates more problems – loss of instructional time, makeup assignments, social isolation – than it solves.

In situations where a student repeatedly misses classroom because of disciplinary reasons, the student may begin to consider the classroom an unwelcoming, toxic space in which she cannot find motivation to participate or learn. As students continue learning less and less they fall further and further behind, putting them at much higher risk of eventually dropping out of school, which – as reiterated by other cited sources– could result in much more likely possibility of involvement with juvenile and adult criminal justice systems.

In recent years scholars have begun to recognize that surveillance and over-securitization in schools has actually contributed to heightened rates of student punishment (Kupchik 2012; Giroux 2015). This counterproductive outcome is due, at least in part, to increases in the overall monitoring of students. When students are increasingly monitored in spaces that uphold zero tolerance practices, students who commit non-violent, non-criminal offenses are more likely to face punishment, which they likely could have avoided had the presence of surveillance devices not been so prevalent.

Despite schools' increased utilization of monitoring and surveillance, no evidence yet indicates that these devices have directly improved campus environments (American Psychological Association 2008). There is little evidence indicating that surveillance is, in fact, a successful deterrent against violent behavior (Casella 2003; Cohen 2012).

On the contrary, a wide range of research conducted in recent years indicates that heightening degrees of surveillance on school campuses is directly correlated with an increase in the number of students disciplined for non-violent, non-criminal offenses. These trends suggest that greater reliance on surveillance and punishment may hurt students rather than help keep them safe. More plainly put, by employing additional school resource officers or by installing more security cameras on campuses, schools scrutinize student behavior to a far greater degree.

D. Relationship Between Youth Dropout Rates & Justice System Involvement

A growing body of data indicates that harsh punitive action against children is strongly correlated with increased rates of student dropout rates (American Psychological Association 2008; Armour 2016; Heitzeg 2009; Jain et al 2014; Lamont 2013; Skiba and Knesting 2001; Skiba and Williams 2014; Villalobos and Bohannan 2017). High rates of student dropout serve as fairly accurate predictors not only for future employment opportunities and earning prospects, but also for the probability that an individual may eventually face criminalization (American Psychological Association 2008; Lamont 2013; Texas Appleseed 2007).

While there is sufficient enough data to demonstrate the presence of a correlation between rates of school-dropout and involvement with criminal justice systems, this should not be interpreted as an indication that dropout rates have any direct bearing on rates of criminalization. In fact, the 2017 report published by the National Council of Juvenile and

Family Court Judges lists several possible confounding factors that could explain why the correlation exists.

According to the report, one possible factor might be that students who are already high-risk for dropping out are the same students likely to "fall behind on coursework" and "disengage academically" (Villalobos and Bohannan 2017). While it is possible that falling behind academically might the link between rates of student dropout and criminalization, there is enough evidence to indicate this might be the case.

While the school to prison pipeline does indicate the presence of a pattern in which students who are pushed out of school eventually become involved with juvenile and criminal justice systems, it does not provide a detailed enough explanation of the other factors that might influence these criminalization-related trends.

One explanation for this trend might be that in the two decades since zero tolerance policies were established nationwide, schools began relying much more on ticketing and student referrals to the juvenile justice system. However while this may the case, juvenile justice referrals are not the same as actual commitments. While juvenile justice research has consistently reported high recidivism rates for youth who have at some point been committed to a correctional facility, it is not likely that this is the case for all referred students.

As explained by the Texas Criminal Justice Coalition (TCJC), "given the high recidivism rates among youth confined to a juvenile correctional facility, they face the risk of being fast-tracked into the adult criminal justice system without appropriate intervention" (Judice 2018). Thus, there is particular cause for concern regarding juvenile recidivism because it increases the likelihood that juvenile offenders will not be rehabilitated in juvenile correctional facilities, and

will instead be placed in an environment that in some ways arguably functions as a launchpad for youth who leave juvenile facilities and are eventually introduced to adult ones.

Considering both the severe long-term effects as well as the disproportionate impact of criminalization on minority youth, minimizing interaction with criminal justice systems should be a top priority as schools determine their individual codes of conduct and campus rules.

IV. Structural & Relational Reconceptualization of School Discipline

There is a large variety of disciplinary actions that educators might take against misbehaving students, When determining what forms of punishment are most appropriate in a given situation , it is important to analyze this high degree of "variance within and across institutional environments" (Cohen 2012). Doing so could possibly be an effective way to help shed light on questions that seek to analyze and better understand "why certain organizational forms are chosen over others," as well as whether or not there are any significant implications that result from these choices (Cohen 2012).

Given the growing body of data that indicates harshly punishing minor infractions is largely counterproductive and oftentimes worsens conflict situations, it is important to consider alternatives to excessively harsh punishments. Oftentimes, discretionary strategies could function as better ways to handle conflict than punitive zero tolerance approaches. This section explores several alternative discipline practices that could be implemented in public schools as replacements for zero tolerance approaches.

A. Structural Models as Alternatives to Traditional School Discipline Practices

i. *Restorative Justice (RJ)*

"Restorative Justice" (RJ) is an example of a systematic approach to dealing with issues regarding discipline and criminal justice. By placing emphasis on how harsh discipline policies negatively impact relationships (especially within communities of color), RJ models promote practices that work to strengthen bonds between individuals and groups (Wieser 2012; Armour 2016). In the context of public education, RJ promotes positive relationship-building techniques between school officials, educators, and their students. Practicing these non-punitive disciplinary techniques can help foster a strong sense of community within individual schools and classrooms.

Three commonly-implemented restorative practices are affective statements, conferencing, and community-circles (Zehr 2002; Wieser 2012; Armour 2016). The first of these practices primarily seeks to encourage positive interpersonal dialogue. An example of an "affective statement" is one that includes information about the speaker's feelings in relation to the actions performed by the listener (Wieser 2012). For example, rather than yelling "Stop talking!" at a noisy student, a teacher following the RJ approach may instead say, "your actions are frustrating me right now because I need our class to focus. It would help me if you stopped talking."

Restorative dialogue also includes constructive questioning; rather than asking a student, "Why did you do that?" an educator may choose to phrase the question differently, instead asking, "What were you thinking at the time you did that? What are you thinking now? How do you think we should repair the harms done?" Restorative questioning can be implemented by teachers during conferences, or meetings between victims, offenders, and affected parties. Conferences are positive RJ tools because they create spaces that promote self-reflection; by

allowing students to actively participate in determining the affected parties' consequences, students engage in making decisions, thinking critically, and empathizing with their peers (Wieser 2012; Armour 2016).

Perhaps the most commonly-used RJ tool in schools are restorative circles (Jain et al 2014). According to Howard Zehr, credited worldwide as one of the founders of the RJ movement, a circle process consists of a group of individuals who take turns speaking about a predetermined topic of discussion (Zehr 2002). These circles encourage participants to discuss their respective, personal thoughts within a safe, private group.

Unlike conferences, which are generally held in response to harmful incidents that have already transpired, circles can be used proactively. Because of how few resources are needed to facilitate a circle process, this particular RJ practice can be used as often or infrequently as needed. Circles demonstrate that preventative disciplinary approaches can be extremely low-cost unlike reactive measures, which generally require extensive amounts of time, attention, and paperwork—filling out a disciplinary referral, meeting with the student, calling the students' parents—in the process of determining an appropriate consequence (Scheuermann and Hall 2008).

Student participation is the most essential component of RJ circles within schools. Though teacher influence is important in that it may help facilitate the discussion's direction through pointed questions, it is the dialogue and active listening on the students' part that ultimately drive the circle's success (Wieser 2012; Armour 2016). In restorative circles, all students are given the opportunity to speak; generally, "talking pieces" are passed around the circle to indicate who has the right to speak at a given time (Zehr 2002). When students know that for at least some period of time what they have to say will be listened to, they are much

more willing to participate in the activity, which subsequently generates healthy and honest dialogue (Wieser 2012).

Knowing that their thoughts will be heard, students are more willing to communicate honestly about how they feel and what they think. This is especially useful when attempting to understand student rationale during situations in which they acted out or violated a classroom rule. Research demonstrates that extended exposure to and participation in successful circles may help students obtain better stress-management and conflict resolution skills, which can help reduce future instances of misbehavior—in school as well as in parts of their lives outside the classroom (Zehr 2002; Wieser 2012; Jain et al 2014; Armour 2016).

RJ is not without its limitations. The term "restorative justice" is fairly all-encompassing; RJ does not have a universally-accepted definition, nor are scholars are able to reach an agreement regarding which specific practices are central to RJ models (Daly 2005). Another limitation regarding RJ is that it may not be the most effective form of discipline in all instances that consist of a victim and a perpetrator. If victims feel particularly violated or traumatized by a perpetrator who committed an action that was especially violent or threatening, it is not necessarily productive or fair to the victim to ask that the two individuals engage in face-to-face dialogue. Lack of victim consideration is often cited as one of the most significant issues with RJ approaches to discipline (Gaudreault 2005; Daly 2005).

Despite these challenges, RJ practices are still more often than not successful within the classroom. This is largely because RJ recognizes the importance of relationship-building in shaping students' foundational conceptions about how to interact with others and conduct themselves within social settings. Because educators are permitted to discipline their students in

a manner that creates a more favorable learning space, students are encouraged to continue engaging and learning through productive, empathetic, and interpersonal conversation.

ii. *Positive Behavioral Intervention and Supports (PBIS)*

Another set of strategies that could be integrated into schools seeking to transition away from traditional approaches to school discipline are positive behavioral intervention and supports ("PBIS" or "PBS"). PBIS consists of three primary tiers – prevention, multitiered support, and evidence-based decision-making (Health 2013). Of these three elements, perhaps the most unique aspect of PBIS is its utilization of multi-tiered supports. This approach that helps schools facilitate, create, and communicate a set of behavioral guidelines and expectations abided by that all participating school administrators, teachers, and students.

PBIS multi-tiered supports are comprised of four fundamental layers – data, evidence-based practices, systems, and outcomes (Johnson and Weaver 2015). Each of the four categories is addressed in relation to student behavior. When implemented correctly, PBIS can have positive influences in spaces that other discipline models may not reach; some of these spaces include hallways, school-buses, and restrooms (Johnson and Weaver 2015). These tiers are crucial in developing and establishing an educational space built around students' unique behavioral needs.

While RJ focuses primarily on improving interpersonal relationship-skills, PBIS attempts to change perspectives held by school officials and administration in developing realistic behavioral guidelines that focus on rewarding positive behaviors rather than punishing negative ones (Armour 2016). The unique multi-tier approach that overtly addresses social and behavioral practices is integral to the success of PBIS operations.

PBIS also seems to be better suited than RJ as a behavioral model for those with disabilities or mental health concerns. In contrast to RJ models, which do not provide many mental health resources other than access to counseling, PBIS models are fully capable of demonstrating ways to integrate cognitive behavioral therapy within each respective tier (Weist 2012). Furthermore, given the holistic, full-community approach espoused by this multi-layered behavioral model, PBIS might provide the ideal disciplinary structure for students who are differently-abled or who have unique needs.

Though both RJ and PBIS strategies rely on changing current understandings of how discipline in schools should be approached (Jain et al 2014), PBIS can more easily be implemented across a wider range of physical and social spaces that extend beyond the school and well-into the community at large. According to the Council on School Health (2013), PBIS is effective because of its focus on students' future goals and successes rather than the challenges of their pasts.

iii. *Social and Emotional Learning (SEL)*

Social and emotional learning (SEL) emphasizes the importance of recognizing, understanding, and controlling ones' emotions. The circular graph provides a visual explanation of how the following five factors—self-awareness, self-management, social awareness, relationship skills, and responsible decision-making—are posited in relation to greater social frameworks, which include home and communities, schools, and classrooms (CASEL 2019).

To help manage emotional responses, some suggested SEL practices include engaging in positive, responsible behaviors, setting constructive goals, and developing healthy interpersonal relationships. Some SEL models are more direct; for example, there are SEL programs that focus on health promotion, substance abuse, and interpersonal violence prevention (CASEL 2019).

Within the context of schools, teachers can help facilitate the instruction and implementation of emotionally-aware activities and lessons. Additionally, teachers can partake in SEL lessons themselves as a way to increase their capacity for emotional support, which would ultimately benefit their students and the classroom environment as a whole.

Gregory and Fergus provide a thorough criticism of the "colorblind" tendencies that characterize current SEL practices (2017). In their conclusion they advocate for the creation of an "equity-oriented" SEL model that would acknowledge the various cultural and power dynamics at play in discussions of discipline (Gregory and Fergus 2017).

Figure 2. Visual depiction of five crucial factors prevalent in SEL discipline methods.

B. Relationship-Centered Alternatives to Traditional School Discipline Practices

i. Exercising Power Within Teacher-Student Relationships

Schools consist of many authority figures who practice unique disciplinary roles; school principals, for example, have exclusive control over determinations of student expulsion. The

analysis of power relations in this section will focus exclusively on the relationship between teachers and students. While this discussion of power relations may seem fairly limited in scope, honing in on disciplinary practices exercised by teachers and students in classroom environments may provide an interpretation with lots of depth.

Partially as a result of their regular presence in the classroom where many instances of student misconduct transpire, teachers are often the first (and, sometimes, sole) authority figures who witness student misbehavior (Budwig et al 2017; Scheuermann and Hall 2008). In these situations, the onus to determine the most appropriate disciplinary consequence falls exclusively to the teacher.

Because of classroom teachers' close proximity and significant presence in their students' lives, these instructors must learn to how exercise discipline in a way that avoids exclusionary or isolating practices. Ultimately, the degree to which teachers are directly involved with their students makes it imperative that they choose disciplinary consequences that do not permanently damage the teacher-student relationship.

Another way in which classroom teachers exercise discipline is by introducing and reproducing various normative ideologies within the classroom setting. An example of a normative, fundamentally partisan practice carried out by a teacher within her classrooms might include establishing her own, personalized set of classroom rules.

As the principal agents of discipline and power within classroom settings, teachers face a high degree of responsibility for a wide array of tasks. While maintaining discipline and order within classroom settings can be extremely challenging, teachers may consider their responsibilities as a type of positive affirmation, or an indication that they can productively exercise mechanisms of control. Given that teachers are some of the first authority figures in the

lives of youth (Budwig et al 2017), it is worth considering the nature of the interpersonal student-teacher relationship when evaluating teacher-student power dynamics.

There are many theoretical models that attempt to provide comprehensive analyses of the power dynamics present within teacher-student relationships. One particularly notable interpretation was published in 1959 by social psychologists French and Raven; their model outlines and differentiates various bases of power by ability (or lack thereof) to impart social influence. French and Raven's original model included the following forms of power – reward, coercion, legitimate, expert, and referent (French and Raven 1959); informational power was eventually added as a sixth category (Raven 2008; Reid et al 2017). While the six types of power may appear individually in general social spheres, all forms are present within the classroom environment.

For their 1983 study, McCroskey and Richmond reinterpreted the original French and Raven model by framing their discussion of the bases of power within a school-centered context. To understand an example of their new interpretation, consider a situation in which an authority figure subjects a student to in-school or out-of-school suspension (ISS and OSS); this would be an instance of coercive power. An example of referent power, on the other hand, might consist of a teacher forgoing disciplinary action against a student and instead choosing to utilize her personable, empathetic nature as the primary mechanism of influencing, controlling, and (ultimately) correcting student misbehavior.

In conjunction with their thorough analysis of how the various bases of power may be exercised by teachers to influence students, McCroskey and Richmond discuss two additional points. Firstly, McCroskey and Richmond highlight that teachers and students oftentimes share widely different conceptions of the way in which power is exercised in the classroom. In

McCroskey and Richmond's 1983 study, students and teachers were individually asked to provide a figure (percentage) denoting the rate at which they believed the classroom teacher exercised each of the six bases of power.

According to the study's findings, students perceived their teachers as exercising "positive" forms of power—namely, referent and reward—far less frequently than did the teachers themselves (McCroskey and Richmond 1983). McCroskey and Richmond's findings are further supported by scholarship published in more recent years; current research also suggests that gaps between teacher-student perceptions of power are fairly common (Cohen 2012; Pistoe and Letseka 2013; Reid and Kawash 2017).

The second point they emphasize is the importance of effective communication between teachers and their respective students. McCroskey and Richmond claim that without effective communication, the capacity for interpersonal influence is severely limited, if not altogether impossible. While McCroskey and Richmond acknowledge that instances of miscommunication do occur fairly often in classroom settings, they nevertheless maintain that these instances be avoided as much as possible to bridge gaps in relational misperceptions as well as to facilitate productive interpersonal dialogue (McCroskey and Richmond 1983).

Before continuing the discussion of interpersonal power relations between teachers and students, it is important to note a potential issue with McCroskey and Richmond's study. While their research focuses on general perceptions of power in the classroom, McCroskey and Richmond's analysis exclusively discusses bases of power exerted by teachers – not students. Their discussion fails to consider the possibility that students might in fact have the ability to exert power – both over their peers as well as their teachers—with respect to French and Raven's model of power. Though the aforementioned scholars did not mention ways in which students

may subversively (or even overtly) exercise power, this will be a crucial consideration in this paper's later discussions of alternatives to current, traditional school discipline models and their perceived efficacy.

Perhaps the failure to consider student's exertion of power was overlooked simply because the belief that teachers have complete authoritative power within educational spaces is held with utmost conviction. This notion is not entirely "out there"; teachers do, in fact, hold a large amount of power within educational spheres. Given their roles as "first-responders," classroom managers, and student disciplinarians, teachers undoubtedly have an upper hand with respect to authority in classroom settings, especially in comparison to their adolescent counterparts.

However, while teachers are able to exercise power and authority within classrooms, by no means is a teacher's power absolute; teachers' control over students is always relative and in a state of flux (Kiefer et al 2014; Wenzel et al 2010; Wentzel 2012). While many aspects of teaching can be challenging for teachers, an especially frustrating task is learning how to adequately manage instances of student misbehavior. Inability to do so is, in fact, one of the primary reasons that teachers leave the profession (Scheuermann and Hall 2008).

While this section does not focus on solutions to common challenges, a later section in this paper does highlight alternatives to traditional modes of school discipline. It also provides a more thorough, comprehensive list of the various strategies and techniques available to teachers seeking to better maintain order within the classroom, limit situations that impede learning, and prevent instances of potentially disruptive behaviors.

ii. Exercising Power within Classroom Management

The non-coercive types of power outlined in French and Raven's model—reward, legitimate, expert, referent, and technological—can be used to contextualize recently published scholarly interpretations of teacher and student power dynamics with respect to discipline (French and Raven 1959; McCroskey and Richmond 1983; Pitsoe and Letseka 2013).

For example, the persuasive and bargaining techniques described by Pitsoe and Letseka (2013) would likely fit within the French and Raven model as forms of referent power. While non-coercive forms of power are regularly used as alternatives to punitive action, some scholars nonetheless maintain that coercive power remains the most effective mechanism of control within classroom settings (Raven 2008).

Pistoe and Letseka (2013) contend that bureaucracies, well-organized, hierarchical systems of control and power, are extremely effective structural models that are conducive to the continued operations of disciplinary and educational processes. This is largely because their organizational structure allows for authority figures to maintain a high degree of control throughout the system in its entirety.

In their explanation of the type of power required to produce a bureaucrat, Pitsoe and Letseka differentiate between authority, a general or "universal" form of power accessible to all, and the unique, discretionary type of power acquired by implementing instruments of control – authority, power, persuasion, and exchange; these scholars contend that "effective" bureaucrats must be capable of readily acquiring all four facets (Pistoe and Letseka 2013).

In their scholarship, Pistoe and Letseka claim that while public acts of school discipline, such as removing a misbehaving student from a classroom—an action witnessed by other students—may be more punitive in nature than any of the non-coercive bases of power described above, coercion-based approaches are ultimately the most effective mechanisms for teachers

seeking to manage and establish control over their students (2013). It is through these public disciplinary actions against misbehaving students that teachers most directly establish their authority and dominance within the classroom setting.

Within the context of schools, only teachers and administrators would be capable of acquiring all four components; students do not meet the necessary qualifications (at least, not within educational and disciplinary spaces). Per Pistoe and Letseka's interpretation of bureaucracy in an educational setting, teachers who demonstrate their capability and consistency with respect to completing the following tasks may consider themselves "successful bureaucrats": directly influence students' behavior through power-based control, utilize resource manipulation as a way to persuade students and convince them to partake in "exchanges," and garner support to legitimize authority based on collaborative student support (Pistoe and Letseka 2013).

Part of the reason it is important to consider the bureaucratic features present in systems of public education is the fact that childhood-based conceptions of discipline continue to shape perspectives of power and authority well into adulthood. Students who grow to become civically engaged adults will definitively engage with other types of bureaucratic institutions later in their lives.

Some examples of bureaucracies with which individuals commonly interact include nursing homes and public safety departments. Much like schools, these institutions, in their own ways, exert an authoritative role over individual members of society and subject them to various forms of order and regulations; the requirement to pay a fine for speeding tickets, for example, is a common punishment with which individual members in bureaucracies are compelled to comply, effectively resigning portions of their agency–and, in effect, their control—through this process.

V. Conclusions & Future Considerations

Using Foucault's interpretation of discipline in relation to theories of power in education-based relationship successfully demonstrated the problematic aspects of teacher-student relationships. The main issues seemed to stem from a) cultural misalignment and b) teachers' general preference for harsh discipline against students within classroom settings. While deconstructing the latter point in future research is also important, it would be especially interesting to obtain a better understanding of how cultural differences relate to miscommunications and varied expectations.

Alternatives to zero tolerance that promote autonomy in particular may succeed in lower punishment overall largely because in these models, less power is given to authority figures—such as teachers—who too often promote the continued subjugation of students and the expansion of educational disparities. Taking authority away from instructors would mean that there is arguably less room for misunderstandings based on different cultural and disciplinary perspectives.

Clearly control can be exercised by students within classrooms through behavior and more subtle, subversive forms of power, but further study of student autonomy may also be helpful in determining best models for approaches to constructive, non-punitive disciplinary practices. Considering scholarship that claims overly disciplining students via zero tolerance and surveillance takes away autonomy (internal locus of control) from students, it would be interesting to conceptualize the way that increased student autonomy in classrooms might avoid the impacts caused by zero tolerance practices.

Foucault's conception of "technologies of the self" could serve as a good starting point to answer this question. This idea, which he mainly worked on towards the latest part of his life,

pertains to how one might exercise a greater degree of control over oneself. One scholar argues that the model of self-care that Foucault proposes in his 1982 seminar "provides a philosophical approach that offers schools and counsellors (sic) an ethically suitable way of dealing with the moral education of students" (Besley 2009). Some strategies students could use to emphasize the self—i.e. one's autonomy—in classrooms include writing autobiographical or detailed personal narratives (Besley 2009; Bánovčanová and Masaryková 2014). It would be interesting to study whether these autonomy-promoting techniques could somehow mitigate the process or the effects of becoming docile within educational spaces.

Ultimately, if cultural and social norms had considered more thoroughly when establishing discipline policies, many of the harsh impacts of zero tolerance and exclusionary discipline might have been avoided. In the future, a possible avenue to do this may be via considering the relationship between discipline, students, and autonomy. But regardless of what specific approach decisionmakers take, when developing future school discipline policies, it is paramount that the various social and cultural factors that reflect and influence students' perceptions of academic and behavioral norms are taken under serious consideration. Without an understanding of how cultural and autonomy-related factors might manifest within classroom and greater school environments, one risks reproducing the violent impacts created by zero tolerance.

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